

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND (BALTIMORE DIVISION)**

PHILIP GONYO,

Plaintiff,

vs.

**MIDLAND FUNDING, LLC AND
MIDLAND CREDIT
MANAGEMENT, INC.,**

Defendants.

Civil Action No.

CCB11 CV 3117

NOTICE OF REMOVAL

**To: Clerk - United States District Court for the
District of Maryland (Baltimore Division)**

PLEASE TAKE NOTICE THAT, on this date, Defendants Midland Midland Funding, LLC ("MF") and Midland Credit Management, Inc. ("MCM") (collectively referred to as "Defendants"), pursuant to 28 U.S.C. § 1441(b) and 28 U.S.C. § 1331, hereby remove the above captioned matter to this Court from the District Court of Maryland for Baltimore City. In support thereof, Defendants aver as follows:

1. On or about September 30, 2011, Plaintiff filed a Complaint against Defendants in the District Court of Maryland for Baltimore City, case number 010100259382011. (A true and correct copy of Plaintiff's Complaint is attached hereto and marked as Exhibit "A").

2. Defendants were served with Plaintiff's Complaint via certified mail on October 6, 2011.

3. Plaintiff's Complaint alleges that Defendants violated the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692, et seq. in their attempts to collect debt obligations owed by Plaintiff.

4. Based on the foregoing, Defendants have timely filed this Notice of Removal within thirty days of being served with the Complaint and within thirty days of the date that the Action was first removable. See 28 U.S.C. § 1446(b).

5. The current action is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be removed to this Court by Defendants pursuant to the provisions of 28 U.S.C. § 1441(b), in that Plaintiff has alleged, *inter alia*, that Defendants violated the Fair Debt Collections Practices Act, 15 U.S.C. § 1692, et seq., thereby asserting claims that arise under federal law.

6. In that the causes of action alleged by Plaintiff arise from the performance of obligations of the parties within Baltimore County, Maryland, the United States District Court for the District of Maryland (Baltimore Division) should be assigned the Action.

7. Defendants, upon filing this Notice of Removal in the office of the Clerk of the United States District Court for the District Maryland (Baltimore Division), have also caused to be filed copies of this Notice with the Clerk of the District Court of Maryland for Baltimore City to effect removal of this action pursuant to §1446(d).

WHEREFORE, Midland Funding, LLC and Midland Credit Management, Inc. notify this Court that this action is removed from the District Court of Maryland for Baltimore City to the United States District Court for the District of Maryland (Baltimore Division) pursuant to the provisions of 28 U.S.C. §§1331, and 1446.

Respectfully submitted,

**MARSHALL, DENNEHEY, WARNER,
COLEMAN & GOGGIN, P.C.**

By: 

LAUREN M. BURNETTE, ESQUIRE
4200 Crums Mill Road, Suite B
Harrisburg, PA 17112
(717) 651-3703 / (717) 651-9630 (f)
lmburnette@mdwgcg.com
Attorneys for Defendant
Midland Funding, LLC and
Midland Credit Management, Inc.

Dated: November 2, 2011

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND (BALTIMORE DIVISION)**

PHILIP GONYO,

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Defendants.

Civil Action No.

PROOF OF MAILING

I hereby certify that on November 2, 2011, the original of the within Notice of Removal was sent to the Clerk of the United States District for the District of Maryland (Baltimore District) to be filed and that a copy of the same was forwarded to the following interested persons as follows:

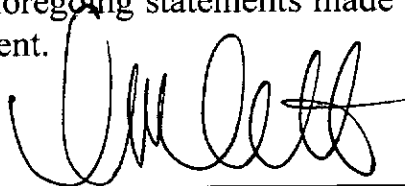
NAME AND ADDRESS

Albert McCarraher, Esq.
Schlachman, Belsky &
Weiner, P.A.
300 East Lombard Street
Suite 1100
Baltimore, MD 21202
Attorneys for Plaintiff

Clerk, District Court of MD, Baltimore City
501 East Fayette Street
Baltimore, MD 21202

I certify that the foregoing statements made by me are true. I understand that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

By:



LAUREN M. BURNETTE, ESQUIRE
Attorneys for Defendants

Dated: November 2, 2011